

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ENGELHARD CORPORATION,

Plaintiff,

v.

UNITED STATES OF AMERICA, UNITED STATES DEPARTMENT OF DEFENSE, DONALD RUMSFELD, in his official capacity as SECRETARY OF THE DEPARTMENT OF DEFENSE, U.S. MINT, HENRIETTA HOLSMAN FORE, in her official capacity as DIRECTOR OF THE U.S. MINT, NUCLEAR REGULATORY COMMISSION, and NILS J. DIAZ, in his official capacity as CHAIRMAN OF THE NUCLEAR REGULATORY COMMISSION,

Defendants.

Civil Action No. 05-11241-JLT

**ASSENTED TO MOTION OF DEFENDANTS
FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendants respectfully request an extension of time until and through September 29, 2005, to respond to Plaintiff's Complaint. Good cause exists for this request. Undersigned counsel and counsel for the Plaintiff have conferred to discuss Defendant's need for an extension of time to respond to the Complaint. Defendants' counsel is preparing for trial in another matter in which she is lead counsel. She has had to and will continue to need to spend significant amounts of time responding to discovery requests as well as substantial amounts of time out of town to conduct and defend fact and expert witness depositions. Plaintiff's counsel has assented to this Motion.

This Motion is made in good faith and is not made to delay the action, or for any other improper purpose. Therefore, the Defendant's respectfully request that the Court grant this Motion and approve the proposed extension of time to respond up to and including September 29, 2005.

Respectfully submitted,

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District of Massachusetts

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LOCAL RULE 7.1(A)(2) CERTIFICATION

Undersigned counsel certifies that pursuant to the requirements under Local Rule 7.1(A)(2), she has conferred with Plaintiffs' counsel and that Plaintiff's counsel has assented to this motion.

Laurel A. Bedig (By APG)
Laurel A. Bedig

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
DATE: August 12, 2005

I, Anton P. Giedt, Assistant U.S. Attorney, do hereby certify that I have this day served a copy of the foregoing upon the Plaintiffs' counsel of record through electronic filing and by first class mail.

/s/ Anton P. Giedt
Anton P. Giedt
Assistant U.S. Attorney

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